

**TOWN OF WILSON'S MILLS  
TOWN COUNCIL MEETING  
February 17, 2025**

**PRESENT:** Mayor Fleta Byrd, Mayor Pro-tem JC Triplett, Councilmembers David McGowan, Carolyn Dobbin, Tim Brown, and Randy Jernigan.

**OTHERS PRESENT:** Town Administrator Leighanna Worley, Town Clerk Emily Matthews, and Town Attorney Gabriel Du Sablon.

**CONVOCATION:** Mayor Byrd declared a quorum present and called the meeting to order at 6:30pm.

**PLEDGE** Mayor Byrd led the pledge of allegiance to the flag.

**INVOCATION:** Jim Uzzle gave the invocation.

**APPROVAL OF AGENDA:** Mayor Byrd asked for approval of the agenda.

A motion was made by Councilmember David McGowan and seconded by Councilmember Tim Brown to approve the agenda as presented. Motion carried unanimously.

**APPROVAL OF MINUTES:** Mayor Byrd asked for any comments or corrections to the minutes for the Regular Town Council Meeting for December 16, 2024.

**Regular Town Council Meeting- December 16, 2024:** A motion was made by Councilmember Tim Brown and seconded by Councilmember Carolyn Dobbin to approve the Regular Town Council Meeting Minutes for December 16, 2024, as presented. Motion carried unanimously.

**Work Session Minutes - January 27, 2025:** Mayor Byrd asked for any comments or corrections to the minutes for the Work Session for January 27, 2025.

A motion was made by Councilmember Carolyn Dobbin and seconded by Councilmember Tim Brown to approve the Work Session Minutes for January 27, 2025, as presented. Motion carried unanimously.

**Regular Town Council Meeting - January 29, 2025:** Mayor Byrd asked for any comments or corrections to the minutes for the Regular Town Council Meeting for January 29, 2025.

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember Carolyn Dobbin to approve the Regular Town Council Meeting Minutes for January 29, 2025.

**Public Hearing:** Attorney Du Sablon explained to Council that this Public Hearing is a quasi-judicial hearing meaning the Council must decide based on substantial and factual information presented by the applicants under oath. He also said there are due process considerations and it is imperative that no one on Council should vote if they have a fixed opinion on the matter or have had any conversations prior to the hearing or have a familiar relationship or financial interest in the matter. Attorney Du Sablon said the vote will require a simple majority and the Mayor will only vote in the event of a tie. He also stated all evidence has to be factual.

**Special Use Permit – 330 Twin Creek Drive:** Mayor Byrd opened the Public Hearing at 6:35pm.

Planning Director Oldham introduced the applicant, Consuelo Valdez and her daughter Maria Armendarez. Town Clerk Emily Matthews swore in all parties. Mrs. Oldham explained the applicants have applied in order to keep domestic livestock on their property. She said the applicant's daughter has mental health concerns and the animals help her.

Mrs. Oldham reviewed the findings of fact and the background on the Request for Action in Council's packets. She also referenced the letters of support from neighbors as well as photos of the living area.

Ms. Valdez testified about her daughter's mental health journey and how the animals help her.

Councilmember David McGowan commended Ms. Valdez for being a great mother and helping her daughter with this.

Councilmember David McGowan asked how Ms. Valdez intends to keep the livestock to limited numbers and Ms. Valdez said she plans to sell any additional animals if the number of animals grow.

Mayor Byrd asked if the animals are ever allowed outside their designated areas and if the pens are big enough for movement and shelter. Ms. Valdez said the animals are contained and the pens give plenty of room to move around in their pens.

Councilmember Brown asked what the property is currently zoned as and what our current policy is on owning chickens in town. Mrs. Oldham said it is currently zoned as agriculture and the current policy states residents can own up to 10 chickens but no roosters.

Councilmember Brown asked if the special use permit is approved tonight will Council be bound to approve special use permits with similar requests in the future. Attorney Du Sablon said each request would be considered on a case-by-case basis and different decisions would be made.

Councilmember McGowan and Councilmember Brown both said they view the animals as service animals as they help Ms. Armendarez with her mental health concerns.

Attorney Du Sablon said state and federal law require that accommodations be made for those with disabilities in application of a zoning ordinance.

Councilmember McGowan asked if Ms. Armendarez sees a physician on a regular basis and said to talk to the physician and try to get a letter saying goats can act as service animals for her. Ms. Valdez said the animals help Ms. Armendarez more than the medications she has been on in the past.

Councilmember Randy Jernigan said Council should go ahead and approve the special use permit. He said the applicant's medical history is not relevant or the business of council. He said special use permits are determined on a case by case basis.

With no other comments or questions from Council, Mayor Byrd closed the public hearing at 7:24pm

Attorney Du Sablon stated Council must vote on each of the findings of fact

listed on the special use permit application and the vote should be determined on if the applicant has tendered substantial, competent, and material evidence in support of each of those standards.

A motion was made by Councilmember David McGowan and seconded by Councilmember Randy Jernigan to approve finding of fact 1 “that the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.” Motion carried unanimously.

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember Carolyn Dobbin to approve finding of fact 2 “that the use or development complies with all required regulations and standards of the Wilson’s Mills Development Ordinance and with all other applicable regulations.” Motion carried unanimously.

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember Carolyn Dobbin to approve finding of fact 3 “that the use or development is located, designed, and proposed to be operated so as not to substantially injure the value of the adjoining or abutting property, or that the use or development is a public necessity.” Motion carried unanimously.

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember David McGowan to approve finding of fact 4 “that the use or development will be in harmony with the area in which it is to be located and conforms to the general plans for the land use and development of Town of Wilson’s Mills and its environs.” Motion carried unanimously.

Attorney Du Sablon said now that all findings of fact have been approved the Council is obligated to approve the Special Use Permit but they are allowed to add additional standards as they see fit.

A motion was made by Councilmember Tim Brown to approve the Special Use Permit for 330 Twin Creek Drive to allow for domestic and service goats on the subject property and not to exceed the existing number of 2 goats on the property.

After further discussion with Attorney Du Sablon on the interpretation of the UDO, Councilmember Brown rescinded his previous motion.

A motion was made by Councilmember Tim Brown to approve the Special Use Permit for 330 Twin Creek Drive to allow for domestic livestock on the subject property. Motion carried unanimously.

#### **1<sup>st</sup> OPEN FORUM**

Mayor Byrd opened the 1<sup>st</sup> Public Forum at 7:33pm.

With no one wishing to speak, Mayor Byrd closed the 1<sup>st</sup> Open Forum at 7:34pm.

#### **REGULAR BUSINESS**

##### **MAYOR FLETA BYRD:**

Mayor Byrd said she attended the Mayors meeting in Micro recently and she and Town Administrator Worley also attended a presentation at the Triangle Chamber where they learned about how the Chamber can help us with upcoming projects in town.

**TOWN  
ADMINISTRATOR'S  
REPORT – Leighanna  
Worley:**

**Resolution to Adopt  
and Allocate Funds  
for an Outdoor  
Fitness Court:**

Mayor Byrd said the launch for the new town logo will be this Sunday at the park and welcomed everyone to attend.

Ms. Worley said the discussion of the outdoor fitness court at the park was brought to Council a couple months ago and we received a grant from National Fitness Campaign for a total of \$30,000 to help with the cost. She said the overall cost would be paid for through different types of grant money including money from the Winston Family Foundation, Johnston County Visitors Bureau, and the NC Accessible Parks Grant. She said if the town were to budget funds as well it would possibly increase our chances of receiving grants.

Ms. Worley said the resolution in Council's packets is giving the town permission to move forward with the process of the National Fitness Campaign looking at the property and where the fitness court would be placed at the park. She said we also have open space funds and funds for the park and we can discuss how much we want to budget based on how much we receive in grant funds.

Councilmember McGowan asked where the fitness court would go and Ms. Worley said that would be planned by the National Fitness Campaign after they look at the property. She said it would be a 2 sided fitness court, one side would have different equipment for the public to use, and the other side is open space for classes such as Zumba or yoga.

Councilmember McGowan asked if this is something we need in town and Councilmember Jernigan said we need to cater more to older kids and adults at the park. Ms. Worley said we often get calls for where the public can hold Zumba and yoga classes. Councilmember McGowan asked how much upkeep the area would take and Ms. Worley said the surface area is low maintenance and the fitness court as a whole would be under warranty.

A motion was made by Councilmember Tim Brown and seconded by Councilmember David McGowan to adopt the following Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court. Motion carried unanimously.

**RESOLUTION TO ADOPT AND ALLOCATE FUNDS FOR AN  
OUTDOOR FITNESS COURT® AS PART OF THE FISCAL YEAR 2025-  
2026  
NATIONAL FITNESS CAMPAIGN**

At a meeting of the Wilson's Mills Town Council held on February 17, 2025, the following action was taken:

**WHEREAS**, the Town of Wilson's Mills has submitted a Grant Application to National Fitness Campaign (NFC) for participation in their Fiscal Year 2025-2026 initiative to install and activate outdoor Fitness Courts® in over 1000 municipalities and schools across the country; and

**WHEREAS**, the Town of Wilson's Mills will accept a \$30,000.00 National Grant from the NFC Grant Committee and Statewide Partners, and endeavor to provide a local match in the amount of \$50,000.00 from budgeted or internal funds within Fiscal Year 2025-2026 to promote and implement a free-to-the-public outdoor Fitness Court®; and

**WHEREAS**, the Town of Wilson's Mills will endeavor to secure supplemental funding within 120 days from the NFC notice of award as needed through

community sponsors, which will be made available and committed to this program for the purchase of the outdoor Fitness Court®; and

**WHEREAS**, the Town of Wilson's Mills will endeavor to provide a local funding confirmation in the amount designated on the quote detailing the remaining funds for participation, provided by the National Fitness Campaign no later than July 1, 2025, as identified on the official Grant Program Requirement document.

**WHEREAS**, the Wilson's Mills Town Council believes joining the National Fitness Campaign is an important step in building a healthier community, commits to funding/fundraising to participate in NFC's Fiscal Year 2025-2026 Campaign, and will earn local and regional recognition as a leader in providing accessible health and wellness infrastructure and programs.

**NOW THEREFORE BE IT RESOLVED**, that the Wilson's Mills Town Council will collaborate with NFC to join the National Fitness Campaign, implement the outdoor Fitness Court® program, and make fitness free for community residents and visitors.

**Award Bid for Fence  
for the Dog Park:**

Ms. Worley referenced the bids for the fence for the dog park in Council's packets. Councilmember Tim Brown asked to be recused from the vote due to his company, Tebco Fencing, being one of the bidders.

A motion was made by Councilmember David McGowan to recuse Councilmember Brown from voting to award the bid for the fence at the dog park.

Attorney Du Sablon said Councilmember Brown should also be recused from the discussion of the bid award as well according to N.C.G.S. 14-234 D1.

A motion was made by Councilmember David McGowan and seconded by Councilmember Randy Jernigan to recuse Councilmember Brown from voting on and discussing awarding the bid for the fence at the dog park. Motion carried unanimously.

Ms. Worley said 3 companies were contacted and all 3 companies sent back bids for the project. She said Tebco Fencing sent in a bid for \$16,500, MC Built sent in a bid for \$20,660, and Evans Fencing's bid was for \$22,025.

A motion was made by Councilmember David McGowan and seconded by Councilmember Randy Jernigan to award the bid for the fence at the dog park to Tebco Fencing in the amount of \$16,500. Motion carried unanimously.

Ms. Worley said the dog park will be paid for by the grant received from Johnston County and the grant funds will cover the cost entirely.

**Resolution  
Prohibiting Viewing  
of Pornography on  
Town Networks and  
Devices:**

Ms. Worley said the Municipal Personnel Policy already addresses the viewing of inappropriate materials on town networks and devices, but this will add more detail to the policy due to the new passing of the House Bill.

Attorney Du Sablon said this will also apply to elected officials and appointees which is why there is both a resolution and a policy amendment addressing the matter.

A motion was made by Councilmember Tim Brown and seconded by

Councilmember Randy Jernigan to adopt the following Resolution Prohibiting Viewing of Pornography on Town Networks and Devices. Motion carried unanimously.

**RESOLUTION PROHIBITING VIEWING OF PORNOGRAPHY ON  
TOWN NETWORKS AND DEVICES**

**WHEREAS**, House Bill 971 / North Carolina General Statute §143-805 requires all public agencies to adopt a policy governing the use of its network and devices owned, leased, maintained, or otherwise controlled by the Town of Wilson's Mills; and

**WHEREAS**, the Town of Wilson's Mills prohibits the viewing of pornography by its employees on the Town's network or devices owned or maintained by the Town.

**NOW, THEREFORE**, be it resolved that the following policies shall apply in the Town of Wilson's Mills:

1. No employees, elected officials, or appointees of the Town of Wilson's Mills (hereinafter the "Town") shall view pornography on any computer network owned, leased, maintained, or otherwise controlled by the Town, whether on a Town owned and maintained device, or a privately owned or controlled device.
2. No employee, elected official, or appointee of the Town shall view pornography on a device owned, leased, or maintained or otherwise controlled by the Town.
3. Each year, and no later than August 1, the Town shall, as required by NCGS §143-805, report to the State Chief Information Officer the number of incidences, if any, of unauthorized viewing or attempted viewing of pornography on the Town's network whether or not the unauthorized viewing was by an employee, elected official, or appointee of the Town and whether or not any unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by the Town.
4. This policy shall not apply to investigation, law enforcement training, or actions related to law enforcement purpose; identifying potential security or cyber security threats, establishing, testing, and maintaining firewalls, protocols, and otherwise implementation of this policy; or other exceptions as specifically set forth in NCGS §143-805(d).
5. The terms used herein shall be defined as set forth in NCGS §143-805(g).
6. Any employee, elected official, or appointee of the Town who has saved pornography to a device owned, leased, maintained or otherwise controlled by the Town prior to the adoption of this resolution shall immediately remove, delete or uninstall said pornography.
7. Any employee of the Town who violates any provision of this policy shall be subject to disciplinary action under the Town's personnel policy.
8. Any appointee of the Town who violates the provision of this policy shall be subject to removal by the Town Council.
9. Any elected official who violates any provision of this policy shall be subject to censure proceedings.
10. The Municipal Personnel Policy of The Town of Wilson's Mills shall be amended to comport with the provisions hereof.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective as of January 1, 2025.

Attorney Du Sablon clarified at the discussion of this topic is not due to any recent concerns within the staff of the Town. He said this House Bill was passed in late 2024 and is just now being passed by municipalities.

**Municipal Personnel  
Policy Amendment –  
Article V, Section  
21. Computer and  
Internet Policy:**

Ms. Worley referenced the amendment to the Municipal Personnel Policy and asked if there were any questions.

A motion was made by Councilmember Tim Brown and seconded by Councilmember Carolyn Dobbin to amend the Municipal Personnel Policy Article V Section 21: Computer and Internet Policy. Motion carried unanimously.

**OTHER:**

Ms. Worley reminded Council of the branding and logo event on Sunday and said she would like elected officials to attend the event.

Ms. Worley said a press release was recently sent out to county departments and utility companies as well as the Fire Department and Police Department about the address changes in Wilson's Mills. She said letters will go out to residents in the next couple weeks. She said these changes will result in the addresses in town having Wilson's Mills listed as the city rather than Smithfield or Clayton but the zip code at each residence will stay the same.

**POLICE DEPARTMENT  
– Chief AZ Williams**

Chief Williams referenced the Policy Amendment and asked if there were any questions. He said the policy changes are in reference to personal grooming.

**Policy Amendment –  
General Order #200-  
12- Uniforms and  
Equipment:**

Councilmember McGowan asked if female officers are still required to have their hair up and Chief said yes.

A motion was made by Councilmember Tim Brown and seconded by Councilmember Carolyn Dobbin to approve the Policy Amendment to General Order #200-12: Uniforms and Equipment. Motion carried unanimously.

**PLANNING AND  
ZONING REPORT –  
Wendy Oldham**

Planning Director Oldham said the Planning Department has received an application for a Special Use Permit for the property located at 33 Swift Creek Road. She said Council will need to call a public hearing for next month to discuss the Special Use Permit.

**Call Public Hearing  
– Special Use Permit  
for Parcel ID  
17K080080:**

A motion was made by Councilmember Tim Brown and seconded by Councilmember Randy Jernigan to call a Public Hearing to discuss the Special Use Permit for 33 Swift Creek Road on Monday, March 17, 2025 at 6:30pm in the Wilson's Mills Elementary School Cafeteria. Motion carried unanimously.

**COUNCILMEMBER  
COMMENTS:**

Councilmember Tim Brown commented on the awarding of the bid for the fence at the dog park and said any projects with TEBCO that involve the town he makes sure he is not involved in the process.

**2<sup>nd</sup> OPEN FORUM**

Mayor Byrd opened the 2nd Public Forum at 8:07pm.

With no one wishing to speak, Mayor Byrd closed the 2nd Open Forum at 8:08pm.

**MOTION TO GO INTO  
CLOSED SESSION:**

A motion was made by Councilmember David McGowan and seconded by Councilmember Tim Brown to go into Closed Session at 8:08pm pursuant to N.C.G.S. 143-318.11(a)(3) "consult with attorney..." Motion carried unanimously.

**MOTION TO COME  
OUT OF CLOSED  
SESSION:**

A motion was made by Councilmember Tim Brown and seconded by Councilmember Carolyn Dobbin to come out of closed session at 8:22pm. Motion carried unanimously.

**ADJOURN:**

A motion was made by Councilmember Tim Brown and seconded by Councilmember Carolyn Dobbin to adjourn. Motion carried unanimously.

The meeting adjourned at 8:23pm.



  
EMILY MATTHEWS, CMC  
Town Clerk

  
FLETA A. BYRD, Mayor